SUBJECT No. 36.

Additional powers to Sub-Registrars.

Messrs. Dasappa and M. Chowdaiya, Arsikere Taluk.

Summary of discussion.—As Amildars have heavy work and as Sub-Registrars have leisure, the latter may be entrusted with Municipal and Muzrai duties.

Withdrawn.

SUBJECT No. 37.

Amildars and Sub-Registrars to be empowered with Civil jurisdiction up to Rs. 100.

Mr Linge Gowda, Patel of Nagavala, Mysore Taluk.

Summary of discussion.—Before the formation of Civil Courts, Amildars had Civil jurisdiction, which was a great convenience to the raiyats. Now people have to go to Civil Courts which are located at distant places even for petty cases, and much of their work suffers. It is therefore prayed that Amildars or Sub-Registrars be empowered to try Civil cases up to a limit of Rs. 100. If this is not practicable, it is requested that Village Panchayat Courts be established.

Withdrawn.

SUBJECT No. 38.

Amildars and Sub-Registrars to be empowered to decide suits for rent recovery.

Mr. Srinivas Deekshit, Shikarpur Taluk.

Summary of discussion.—It is very troublesome to go to Civil Courts for recovering "Koru" due by tenants for one year only. In Dharwar, Amildars are empowered to decide such cases. It is therefore requested that either the Amildars or the Sub-Registrars may be authorised to decide cases of this nature, as this would be very convenient to land-owners.

Withdrawn.

SUBJECT No. 39.

Reduction of fees for heirship certificates and exemption of the fee up to a certain limit

Messrs. Linge Gowda, Raghavachar, and W. Tirumala Rao.

Summary of discussion.—(*a*) It is prayed that heirship certificates for recovering debts not exceeding Rs. 500 be granted without levying Court fees, and further that the Court fee may be reduced in the case of applications for such certificates for recovering debts exceeding that limit.

(*b*) Mr. S. R. Balakrishna Rao suggested that certificates for debts up to Rs. 200 may be exempted from payment of Court fees.

Reply of Government.—The Court fees levied are of the nature of a death-duty (*i. e.*, succession duty). No change in the rate of duty is necessary; but in the case of debts of the value of Rs. 200 and under, the question of remitting half the cost of advertisement in the Gazette will be favorably considered.

SUBJECT No. 40.

Affidavits to be obtained by Civil Courts direct from Sub-Registry Offices

Mr. Raghavachar.

Summary of discussion.—When parties apply to Civil Courts to attach immovable properties in the execution of a decree, they are required to file an affidavit after searching the books in the Sub-Registry Office regarding the alienation of the properties mentioned in their applications. A searching fee of Rs. 1-1-0 has to be paid to the Sub-Registry Office to find out the reference. Many illiterate persons are obliged to employ some one to make the search on their behalf. In many such cases the references not being fully traced, parties will not be able to present true affidavits,

and they are thereby put to much trouble. It is therefore prayed that arrangements may be kindly made, so that the Civil Courts might obtain the required information direct from the Sub-Registry Office, a reasonable fee being recovered from the party. This procedure, if adopted, will, besides being a great convenience to the public, be also a source of income to Government.

Mr. Balakrishna Rao spoke against the proposal.

Reply of Government.—The question of adopting the practice in force in Madras, where Sub-Registrars themselves search the registers and furnish certificates, will be considered.

SUBJECT No. 41.

The power of signing affidavits to be delegated to Taluk Sheristadars and Sub-Registrars.

Mr. Raghavachar.

Summary of discussion.—Regarding the affidavits to be produced in Civil Courts, the practice at present is that they should be signed by Magistrates. When the Amildars are at head-quarters, there is no difficulty; but when they are out on circuit, people are put to great trouble. It is therefore prayed that Sub-Registrars and Taluk Sheristadars may be empowered to sign these affidavits during the absence of Amildars.

Reply of Government.—Section 197 of the Civil Procedure Code provides that the oath may be administered by any Court or Magistrate or any officer whom the Chief Court or any other authorised Court may appoint in this behalf. The representation is noted and will be referred to the Chief Court.

SUBJECT No. 42.

Reduction of Small-cause jurisdiction of Sub-Judges, and allowing 2nd grade pleaders to practise in Sub-Courts.

Messrs. Channakesava Setty, Ramaswamiengar, B. Kesavaiengar, Kesavadasaiengar, S. R. Balakrishna Rao and V. Raghavachar.

Summary of discussion.—(1) The small-cause jurisdiction of Sub-Judges may be reduced to Rs. 100, and 2nd grade pleaders may be permitted to practise in Sub-Courts.

(2) The small-cause jurisdiction of the Chikmagalur and Hassan Sub-Judges may be limited to Rs. 100.

Reply of Government.—The small-cause jurisdiction of the Sub-Judge of Chikmagalur has been reduced to Rs. 100, and that of the Sub-Judge of Hassan will be reduced when the present incumbent is relieved of the charge.

Regarding relief to 2nd grade pleaders, the Retrenchment Committee has made certain proposals which if adopted will have the desired effect.

SUBJECT No. 43.

Institution of an examination for pleaders in Kanarese.

Mr. Lakshminarayanappa, Heggadevankote Taluk.

Summary of discussion.—For want of pleaders in taluk head-quarters, lawyers have to be brought from district head-quarters, which involves heavy expense. It is not possible for all to engage such lawyers, and the result is that justice cannot be had in many cases. It is therefore suggested that an examination may be held in Kanarese to qualify persons to practise as Pleaders in Taluk Magistrates' Courts.